

## **2005 DRAFTING REQUEST**

### **Bill**

Received: **11/11/2004**

Received By: **dkennedy**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Blaine**

This file may be shown to any legislator: **NO**

Drafter: **dkennedy**

May Contact:

Addl. Drafters:

Subject: **Health - medical assistance**

Extra Copies: **GMM**

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to: **robin.ryan@legis.state.wi.us**

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### **Pre Topic:**

DOA:.....Blaine, BB0247 -

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### **Topic:**

Remove sunset on supplemental MA payments made from community aids

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### **Instructions:**

See Attached

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### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	dkennedy 11/21/2004	wjackson 11/29/2004		_____			S&L
/1			rschluet 11/30/2004	_____	sbasford 11/30/2004		S&L
/2	dkennedy 12/01/2004	wjackson 12/01/2004	pgreensl 12/02/2004	_____	mbarman 12/02/2004		S&L
/3	dkennedy	wjackson	rschluet	_____	lnorthro		S&L

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	12/13/2004	12/20/2004	12/20/2004	_____	12/20/2004		
/4	dkennedy 01/26/2005	wjackson 01/26/2005	rschluet 01/27/2005	_____	sbasford 01/27/2005		

FE Sent For:

<END>

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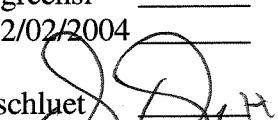
### Instructions:

See Attached

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/3	dkennedy	wjackson	rschluet		lnorthro		



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*AVLj1/26*

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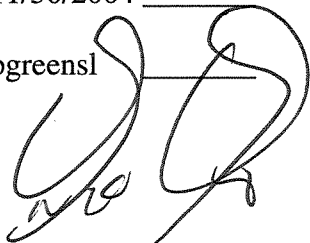
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/2	dkennedy	wjackson	pgreensl	_____	mbarman		



**LRB-0746**

12/02/2004 11:59:27 AM

Page 2

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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13 WJ 12/20

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/1		12/12/11					

***LRB-0746***

11/30/2004 09:29:41 AM

Page 2

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<END>



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1?	dkennedy	11/11/24					
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FE Sent For:

11-29-4  
<END>

## 2003-05 Budget Bill Statutory Language Drafting Request

- Topic: 2003 Act 318 Sunset provision
- Tracking Code: (Assigned by Government Operations Team)
- SBO team: Health and Insurance
- SBO analyst: Robert Blaine
  - Phone: 267-7980
  - Email: robert.blaine@doa.state.wi.us
- Agency acronym: DHFS
- Agency number: 435

BB03 47

SB 567  
03-4537

2003 Wisconsin Act 318 was enacted to make supplemental Medical Assistance payments out of the community aids appropriation under s. 20.435 (7)(b). The bill included a specific provision to ensure that these supplements not continue beyond the 2004-05 fiscal year.

The purpose of this draft would be to eliminate these sunset provisions, allowing for the indefinite continuation of these supplemental payments.

From Robert: Don't restore CSDRB  
Continue supplement of MA by  
community aids  
DAR Create nonstat re repeal of repealer.

2001 Act 16

AM; 49.45 (6t) (intro.) eff 9/1/01

RC; 49.45 (6t) eff 7/1/2003

2003 Act 33

RA; 49.45 (6t) → (6t) (a) eff 7/24/03

CR; 49.45 (6t) (b) - If fed  
change payment,  
sub. (6t) does  
not apply

CR; 49.45 (6tt) -  
DHFS <sup>may</sup> acquire from  
MA trust fund

2003 Act 318 eff 6/2/04

RN; 49.45 (6t) (a) → (6t)

1/1/06

(\*)

RP; 49.45 (6t) (b)

1/1/06

so  
does  
apply

RP; 49.45 (6tt)

6/2/04

CR; 49.45 (6tu) (same  
as (6tt) (DHFS may distrib))

1/1/06

RP; 49.45 (6tu)

1/1/07

This bill

Repeals <sup>cr. of 1/1/06</sup> (6tu) and the 1/1/07  
repealer of (6tu)

Repeals renumber of 49.45 (6t) 1/1/06  
and repeal of (6t) (b)

Shouldn't it  
also repeal (6t)?

Explanation for 2003 Act 318 from Robert Blaine 11/21/04

There is a lag time of 1-2 years for counties in receiving the CSDRB; that's why both the CSDRB (49.45 (6t)) and 49.45 (6tu) (a hard harmless for 1 year) take effect on 1/1/06

What Robert wants is:

Continue Community Aids supplement  
Kill off the hard harmless off on bill passage  
Kill off CSDRB eff. on bill passage.



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-0746/1

DAK:.....

WJ

DOA:.....Blaine, BB0247 - Remove sunset on supplemental MA payments  
made from community aids ✓

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION✓

DO NOT GEN

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

HEALTH AND HUMAN SERVICES ✓

MEDICAL ASSISTANCE ✓ ↗ which

DHFS  
administers

Under current law, Medical Assistance (MA) is a joint federal-state program administered by DHFS under which persons with low income and few assets are provided health care services. The Community Aids Program is funded from state general purpose revenues and federal block grant moneys; under it, DHFS distributes to county departments of social services, human services, community programs, and developmental disabilities services moneys for community social, mental health, developmental disabilities, and alcohol and other drug abuse services and certain other services. Until January 1, 2006, DHFS may make, from general purpose revenues for the Community Aids Program, payment for MA services provided by the County departments and by local health departments. The MA services for which these payments may be made include early and periodic screening and diagnosis; home health services; services and supplies for family planning; physical and occupational therapy; speech, hearing, and language disorder services; medical day treatment services; certain mental health and alcohol and other drug abuse services; certain nursing services; personal care services; respiratory care services; care coordination for high-risk pregnancies; prenatal, postpartum, and

CAP

(CAP)

young child care coordination; lead poisoning and lead exposure services; mental health crisis intervention services; and certain case management services. Also until January 1, 2006, DHFS may make, from the general purpose revenues for (the) Community Aids Program, MA payments to providers of personal care, home health, and respiratory care services.

CAP This bill eliminates the January 1, 2006, sunset on the payment, from general purpose revenues for (the) Community Aids Program, of MA payments to county departments and local health departments and to providers of personal care home health, and respiratory care services.

Under current law, during 2006, DHFS must make payments from the MA trust fund to hold county departments and local health departments harmless for the elimination, ~~as of~~ July 26, 2003, of the community services deficit reduction benefit (CSDRB), under which counties and local health departments could claim federal Medicaid matching funds to cover costs for MA services provided that were not fully reimbursed.

This bill eliminates the requirement that DHFS make payments in 2006 from the MA trust fund to hold county departments and local health departments harmless for the elimination of (the) CSDRB.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 20.435 (7) (b) of the statutes is amended to read:

20.435 (7) (b) *Community aids and Medical Assistance payments.* The amounts in the schedule for human services under s. 46.40, to fund services provided by resource centers under s. 46.283 (5), for services under the family care benefit under s. 46.284 (5), for reimbursement to counties having a population of less than 500,000 for the cost of court attached intake services under s. 48.06 (4), for shelter care under ss. 48.58 and 938.22, for foster care and treatment foster care under s. 49.19 (10), for Medical Assistance payment adjustments under s. 49.45 (52), and for Medical Assistance payments under s. 49.45 (53), ~~and for payments under SECTION 25 (3).~~ Social services disbursements under s. 46.03 (20) (b) may be made from this appropriation. Refunds received relating to payments made under s. 46.03 (20) (b)

from  
~~general~~

to January  
1, 2006?

CAP

to January 1, 2006  
and eliminates the  
reimbursement of CSDRB

during the period from July 26, 2003

SECTION # - RP; 49.45 (6t), as affected by  
2003 Wisconsin Act 318.

for the provision of services for which moneys are appropriated under this paragraph shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health and family services may transfer funds between fiscal years under this paragraph. The department shall deposit into this appropriation funds it recovers under ss. 46.495 (2) (b) and 51.423 (15) from prior year audit adjustments including those resulting from audits of services under s. 46.26, 1993 stats., or s. 46.27. Except for amounts authorized to be carried forward under s. 46.45, all funds recovered under ss. 46.495 (2) (b) and 51.423 (15) and all funds allocated under s. 46.40 and not spent or encumbered by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless carried forward to the next calendar year by the joint committee on finance.

NOTE: NOTE: Par. (b) is amended eff. 1-1-06 by 2003 Wis. Act 318 to read: NOTE:

(b) *Community aids.* The amounts in the schedule for human services under s. 46.40, to fund services provided by resource centers under s. 46.283 (5), for services under the family care benefit under s. 46.284 (5), for reimbursement to counties having a population of less than 500,000 for the cost of court attached intake services under s. 48.06 (4), for shelter care under ss. 48.58 and 938.22, and for foster care and treatment foster care under s. 49.19 (10). Social services disbursements under s. 46.03 (2) (b) may be made from this appropriation. Refunds received relating to payments made under s. 46.03 (2) (b) for the provision of services for which moneys are appropriated under this paragraph shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health and family services may transfer funds between fiscal years under this paragraph. The department shall deposit into this appropriation funds it recovers under ss. 46.495 (2) (b) and 51.423 (15) from prior year audit adjustments including those resulting from audits of services under s. 46.26, 1993 stats., or s. 46.27. Except for amounts authorized to be carried forward under s. 46.45, all funds recovered under ss. 46.495 (2) (b) and 51.423 (15) and all funds allocated under s. 46.40 and not spent or encumbered by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless carried forward to the next calendar year by the joint committee on finance.

**History:** 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327.

SECTION 2. 2003 Wisconsin Act 318, section 3 of the statutes is repealed.

SECTION 3. 2003 Wisconsin Act 318, section 4 of the statutes is repealed.

SECTION 4. 2003 Wisconsin Act 318, section 6 of the statutes is repealed.

SECTION 5. 2003 Wisconsin Act 318, section 11 of the statutes is repealed.

SECTION 6. 2003 Wisconsin Act 318, section 13 of the statutes is repealed.

SECTION 7. 2003 Wisconsin Act 318, section 17 of the statutes is repealed.

SECTION 8. 2003 Wisconsin Act 318, section 18 of the statutes is repealed.

SECTION 9. 2003 Wisconsin Act 318, section 20 of the statutes is repealed.

SECTION #. 2003 Wisconsin Act 318, section 14 is repealed  
SECTION #. 2003 Wisconsin Act 318, section 15 is repealed

1 SECTION 10. 2003 Wisconsin Act 318, section 22 of the statutes is repealed.

2 SECTION 11. 2003 Wisconsin Act 318, section 27 of the statutes is repealed.

3 SECTION 9121. Nonstatutory provisions; health and family services.

4 (1) MEDICAL ASSISTANCE AND COMMUNITY AIDS PROGRAM FUNDING AND PAYMENTS.

5 The repeal of 2003 Wisconsin Act 318, sections 18, 20, 22, and 27 <sup>by this act</sup> ~~apply~~  
6 <sup>applies</sup> notwithstanding section 990.03 of the statutes. <sub>51</sub>

7 (END)





State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-0746/2

DAK:wlj:15

D-NOTE

DOA:.....Blaine, BB0247 - Remove sunset on supplemental MA payments made from community aids

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

DO NOT GEN

1 AN ACT ...; relating to: the budget.

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*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**MEDICAL ASSISTANCE**

Under current law, DFHS administers Medical Assistance (MA), which is a joint federal-state program under which persons with low income and few assets are provided health care services. The Community Aids Program (CAP) is funded from state general purpose revenues and federal block grant moneys; under it, DHFS distributes to county departments of social services, human services, community programs, and developmental disabilities services moneys for community social, mental health, developmental disabilities, and alcohol and other drug abuse services and certain other services. Until January 1, 2006, DHFS may make, from general purpose revenues for CAP, payment for MA services provided by the county departments and by local health departments. The MA services for which these payments may be made include early and periodic screening and diagnosis; home health services; services and supplies for family planning; physical and occupational therapy; speech, hearing, and language disorder services; medical day treatment services; certain mental health and alcohol and other drug abuse services; certain nursing services; personal care services; respiratory care services; care coordination for high-risk pregnancies; prenatal, postpartum, and young child care coordination;

lead poisoning and lead exposure services; mental health crisis intervention services; and certain case management services. Also until January 1, 2006, DHFS may make, from the general purpose revenues for CAP, MA payments to providers of personal care, home health, and respiratory care services.

This bill eliminates the January 1, 2006, sunset on the payment, from general purpose revenues for CAP, of MA payments to county departments and local health departments and to providers of personal care home health, and respiratory care services.

Under current law, during 2006, DHFS must make payments from the MA trust fund to hold county departments and local health departments harmless for the elimination, from July 26, 2003, to January 1, 2006, of the community services deficit reduction benefit (CSDRB), under which counties and local health departments could claim federal Medicaid matching funds to cover costs for MA services provided that were not fully reimbursed.

This bill eliminates the requirement that DHFS make payments in 2006 from the MA trust fund to hold county departments and local health departments harmless for the elimination of CSDRB during the period from July 26, 2003, to January 1, 2006, and eliminates the recommencement of CSDRB.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 20.435 (7) (b) of the statutes is amended to read:

2           20.435 (7) (b) *Community aids and Medical Assistance payments.* The  
3 amounts in the schedule for human services under s. 46.40, to fund services provided  
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6 500,000 for the cost of court attached intake services under s. 48.06 (4), for shelter  
7 care under ss. 48.58 and 938.22, for foster care and treatment foster care under s.  
8 49.19 (10), for Medical Assistance payment adjustments under s. 49.45 (52), and for  
9 Medical Assistance payments under s. 49.45 (53), ~~and for payments under SECTION~~  
10 25 (3). Social services disbursements under s. 46.03 (20) (b) may be made from this  
11 appropriation. Refunds received relating to payments made under s. 46.03 (20) (b)

1 for the provision of services for which moneys are appropriated under this paragraph  
2 shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and  
3 20.002 (1), the department of health and family services may transfer funds between  
4 fiscal years under this paragraph. The department shall deposit into this  
5 appropriation funds it recovers under ss. 46.495 (2) (b) and 51.423 (15) from prior  
6 year audit adjustments including those resulting from audits of services under s.  
7 46.26, 1993 stats., or s. 46.27. Except for amounts authorized to be carried forward  
8 under s. 46.45, all funds recovered under ss. 46.495 (2) (b) and 51.423 (15) and all  
9 funds allocated under s. 46.40 and not spent or encumbered by December 31 of each  
10 year shall lapse to the general fund on the succeeding January 1 unless carried  
11 forward to the next calendar year by the joint committee on finance.

12 **SECTION 2.** 49.45 (6t) of the statutes, as affected by 2003 Wisconsin Act 318, is  
13 repealed.

14 **SECTION 3.** 2003 Wisconsin Act 318, section 3 is repealed.

15 **SECTION 4.** 2003 Wisconsin Act 318, section 4 is repealed.

16 **SECTION 5.** 2003 Wisconsin Act 318, section 6 is repealed.

17 **SECTION 6.** 2003 Wisconsin Act 318, section 11 is repealed.

18 **SECTION 7.** 2003 Wisconsin Act 318, section 13 is repealed.

19 **SECTION 8.** 2003 Wisconsin Act 318, section 14 is repealed.

20 **SECTION 9.** 2003 Wisconsin Act 318, section 15 is repealed.

21 **SECTION 10.** 2003 Wisconsin Act 318, section 17 is repealed.

22 **SECTION 11.** 2003 Wisconsin Act 318, section 18 is repealed.

23 **SECTION 12.** 2003 Wisconsin Act 318, section 20 is repealed.

24 **SECTION 13.** 2003 Wisconsin Act 318, section 22 is repealed.

25 **SECTION 14.** 2003 Wisconsin Act 318, section 27 is repealed.

**SECTION 9121. Nonstatutory provisions; health and family services.**

(1) MEDICAL ASSISTANCE AND COMMUNITY AIDS PROGRAM FUNDING AND PAYMENTS.

The repeal of 2003 Wisconsin Act 318, sections 18, 20, 22, and 27, by this act applies notwithstanding section 990.03 of the statutes.

**(END)**

(15)

D-NOTE ✓

D-NOTE

To Robert Blumie ↗  
= = =

¶ This redraft adds 2003 Wisconsin Act  
= = =

318; section 15<sup>1</sup> to the nonstatutory provision,<sup>1</sup>

because the bill's treatment of that section

is the repeal of a repeal. It makes no other changes.

DAK

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0746/2dn  
DAK:wlj:pg

December 1, 2004

To Robert Blaine:

This redraft adds 2003 Wisconsin Act 318, section 15 to the nonstatutory provision, because the bill's treatment of that section is the repeal of a repeal. It makes no other changes.

Debora A. Kennedy  
Managing Attorney  
Phone: (608) 266-0137  
E-mail: [debora.kennedy@legis.state.wi.us](mailto:debora.kennedy@legis.state.wi.us)

## Kennedy, Debora

---

**From:** Blaine, Robert  
**Sent:** Monday, December 13, 2004 2:02 PM  
**To:** Kennedy, Debora  
**Subject:** FW: FW: LRB Draft: 05-0746/2 Remove sunset on supplemental MA payments made from community aids

Woo hoo! It looks like all that time we spent together on the phone paid off!

-----Original Message-----

**From:** Forsaith, Andrew  
**Sent:** Monday, December 06, 2004 5:20 PM  
**To:** Blaine, Robert  
**Cc:** Bove, Fredi-Ellen  
**Subject:** Re: FW: LRB Draft: 05-0746/2 Remove sunset on supplemental MA payments made from community aids

Robert -- I looked over the draft, and the only problem I see is that it does not provide us ongoing authority to make \$71,100 in hold harmless payments to the two city health departments that received CSDRB payments in the past.

These payments were described in section 25(3) of Act 318. We need to put this language into the statutes as ongoing authority. Also, we need language under s. 20.435(7)(b) to make the payments from that appropriation.

Otherwise, it looks good.

>>> Blaine, Robert 12/02/04 05:21PM >>>  
My bad from earlier. This is the /2 version of the WiMCR sunset draft. As you can probably tell, I've fallen a bit behind on my stat language and am trying to catch up today.

-----Original Message-----

**From:** Greenslet, Patty [mailto:Patty.Greenslet@legis.state.wi.us]  
**Sent:** Thursday, December 02, 2004 11:29 AM  
**To:** Blaine, Robert  
**Cc:** Johnston, James; Hanaman, Cathlene; Haugen, Caroline; Merry-Mason, Monica  
**Subject:** LRB Draft: 05-0746/2 Remove sunset on supplemental MA payments made from community aids

Following is the PDF version of draft 05-0746/2.



*In edit 12/13*  
**State of Wisconsin**  
**2005 - 2006 LEGISLATURE**

LRB-0746/2 3

DAK:wlj:pg

DOA:.....Blaine, BB0247 - Remove sunset on supplemental MA payments made from community aids

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

SOON

1 <sup>DO NOT GEN</sup>  
AN ACT ...; relating to: the budget.

---

*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES ✓**

**MEDICAL ASSISTANCE ✓**

Under current law, DFHS administers Medical Assistance (MA), which is a joint federal-state program under which persons with low income and few assets are provided health care services. The Community Aids Program (CAP) is funded from state general purpose revenues and federal block grant moneys; under it, DHFS distributes to county departments of social services, human services, community programs, and developmental disabilities services moneys for community social, mental health, developmental disabilities, and alcohol and other drug abuse services and certain other services. Until January 1, 2006, DHFS may make, from general purpose revenues for CAP, payment for MA services provided by the county departments and by local health departments. The MA services for which these payments may be made include early and periodic screening and diagnosis; home health services; services and supplies for family planning; physical and occupational therapy; speech, hearing, and language disorder services; medical day treatment services; certain mental health and alcohol and other drug abuse services; certain nursing services; personal care services; respiratory care services; care coordination for high-risk pregnancies; prenatal, postpartum, and young child care coordination;



authorizes payments from the general purpose revenues for CAP to city health departments for this purpose

lead poisoning and lead exposure services; mental health crisis intervention services; and certain case management services. Also until January 1, 2006, DHFS may make, from the general purpose revenues for CAP, MA payments to providers of personal care, home health, and respiratory care services.

This bill eliminates the January 1, 2006, sunset on the payment, from general purpose revenues for CAP, of MA payments to county departments and local health departments and to providers of personal care home health, and respiratory care services.

Under current law, during 2006, DHFS must make payments from the MA trust fund to hold county departments and local health departments harmless for the elimination, from July 26, 2003, to January 1, 2006, of the community services deficit reduction benefit (CSDRB), under which counties and local health departments could claim federal Medicaid matching funds to cover costs for MA services provided that were not fully reimbursed.

This bill eliminates the requirement that DHFS make payments in 2006 from the MA trust fund to hold county departments and local health departments harmless for the elimination of CSDRB during the period from July 26, 2003, to January 1, 2006, and eliminates the recommencement of CSDRB.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 20.435 (7) (b) of the statutes is amended to read:

2           20.435 (7) (b) *Community aids and Medical Assistance payments.* The  
3 amounts in the schedule for human services under s. 46.40, to fund services provided  
4 by resource centers under s. 46.283 (5), for services under the family care benefit  
5 under s. 46.284 (5), for reimbursement to counties having a population of less than  
6 500,000 for the cost of court attached intake services under s. 48.06 (4), for shelter  
7 care under ss. 48.58 and 938.22, for foster care and treatment foster care under s.  
8 49.19 (10), for Medical Assistance payment adjustments under s. 49.45 (52), and for  
9 Medical Assistance payments under s. 49.45 (53), ~~and for payments under SECTION~~  
10 ~~25 (3).~~ Social services disbursements under s. 46.03 (20) (b) may be made from this  
11 appropriation. Refunds received relating to payments made under s. 46.03 (20) (b)

(6 tw) and

1 for the provision of services for which moneys are appropriated under this paragraph  
2 shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and  
3 20.002 (1), the department of health and family services may transfer funds between  
4 fiscal years under this paragraph. The department shall deposit into this  
5 appropriation funds it recovers under ss. 46.495 (2) (b) and 51.423 (15) from prior  
6 year audit adjustments including those resulting from audits of services under s.  
7 46.26, 1993 stats., or s. 46.27. Except for amounts authorized to be carried forward  
8 under s. 46.45, all funds recovered under ss. 46.495 (2) (b) and 51.423 (15) and all  
9 funds allocated under s. 46.40 and not spent or encumbered by December 31 of each  
10 year shall lapse to the general fund on the succeeding January 1 unless carried  
11 forward to the next calendar year by the joint committee on finance.

12 **SECTION 2.** 49.45 (6t) of the statutes, as affected by 2003 Wisconsin Act 318, is  
13 repealed.

14 **SECTION 3.** 2003 Wisconsin Act 318, section 3 is repealed.

15 **SECTION 4.** 2003 Wisconsin Act 318, section 4 is repealed.

16 **SECTION 5.** 2003 Wisconsin Act 318, section 6 is repealed.

17 **SECTION 6.** 2003 Wisconsin Act 318, section 11 is repealed.

18 **SECTION 7.** 2003 Wisconsin Act 318, section 13 is repealed.

19 **SECTION 8.** 2003 Wisconsin Act 318, section 14 is repealed.

20 **SECTION 9.** 2003 Wisconsin Act 318, section 15 is repealed.

21 **SECTION 10.** 2003 Wisconsin Act 318, section 17 is repealed.

22 **SECTION 11.** 2003 Wisconsin Act 318, section 18 is repealed.

23 **SECTION 12.** 2003 Wisconsin Act 318, section 20 is repealed.

24 **SECTION 13.** 2003 Wisconsin Act 318, section 22 is repealed.

25 **SECTION 14.** 2003 Wisconsin Act 318, section 27 is repealed.

INSERT 3-24

**SECTION 9121. Nonstatutory provisions; health and family services.**

(1) MEDICAL ASSISTANCE AND COMMUNITY AIDS PROGRAM FUNDING AND PAYMENTS.

The repeal of 2003 Wisconsin Act 318, sections 15, 18, 20, 22, and 27, by this act applies notwithstanding section 990.03 of the statutes.

(END)

**2005-2006 DRAFTING INSERT**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0746/3ins  
DAK:wjl:pg

**INSERT 3-24**

1  
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4       49.45 (6tw) PAYMENTS TO CITY HEALTH DEPARTMENTS. From the appropriation  
5 account under section s. 20.435 (7) (b) of the statutes, as affected by this act, in state  
6 fiscal year 2004-05, the department of health and family services may make  
7 payments to local health departments, as defined under s. 250.02 (4) (a) 3. of the  
8 statutes. Payment under this subsection to such a local health department may not  
9 exceed on an annualized basis payment made by the department of health and family  
10 services to the local health department under section s. 49.45 (6t) of the statutes,  
11 2003 stats. for services provided by the local health department in 2002.



TODAY  
State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-0746/8 4

DAK:wlj:ES

D-NOTE

DOA:.....Blaine, BB0247 - Remove sunset on supplemental MA payments  
made from community aids

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

Today  
please

1 <sup>DoNotGen</sup>  
AN ACT ...; relating to: the budget.

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**SECTION 15.** 2003 Wisconsin Act 318, section 27 is repealed.

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The repeal of 2003 Wisconsin Act 318, sections 15, 18, 20, 22, and 27, by this act applies notwithstanding section 990.03 of the statutes.

(END)

D - NOTE



D-NOTE

To Robert Blaine and Dennis Rhodes ☺

¶ This draft reconciles LRB-0746/3 and  
LRB-0084/1 ☺ Both LRB-0746 and LRB-0084  
should continue to appear in the compiled  
bill ☺

DAK

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0746/4dn  
DAK:wlj:rs

January 27, 2005

To Robert Blaine and Dennis Rhodes:

This draft reconciles LRB-0746/3 and LRB-0084/1. Both LRB-0746 and LRB-0084 should continue to appear in the compiled bill.

Debora A. Kennedy  
Managing Attorney  
Phone: (608) 266-0137  
E-mail: [debora.kennedy@legis.state.wi.us](mailto:debora.kennedy@legis.state.wi.us)



State of Wisconsin  
2005 – 2006 LEGISLATURE

LRB-0746/4

DAK:wlj:rs

DOA:.....Blaine, BB0247 – Remove sunset on supplemental MA payments made from community aids

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

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